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# NOTICE OF ALLOWANCE AND FEE(S) DUE

36947

7590

04/20/2005

BIOLOGICAL PATENT SERVICES, LLC 8424 40th AVE N. NEW HOPE, MN 55427

**EXAMINER** 

GRUNBERG, ANNE MARIE

ART UNIT

1661

PAPER NUMBER

DATE MAILED: 04/20/2005

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |  |
|-----------------|-------------|----------------------|---------------------|------------------|--|
| 10/799.202      | 03/12/2004  | Neil Hart Diboll     | 200408              | 7583             |  |

TITLE OF INVENTION: ANDROPOGON PLANT NAMED 'BIG DADDY'

| APPLN. TYPE    | SMALL ENTITY | SMALL ENTITY ISSUE FEE |       | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|------------------------|-------|------------------|------------|
| nonprovisional | YES          | \$550                  | \$300 | \$850            | 07/20/2005 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current **SMALL ENTITY status:** 

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B -Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

#### PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where n

| CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)  Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.  BIOLOGICAL PATENT SERVICES, LLC  Certificate of Mailing or Transmission  | indicated unless corrected<br>maintenance fee notificatio  | below or directed otherwise   | in Block 1, by (a  | specifying  | a new cor                                      | respondence address;  | and/or (b) indicating a sepa  | arate "FEE ADDRESS" for   |  |
|---|--|---|--|---|--|---|---|---|--|
| BIOLOGICAL PATENT SERVICES, LLC 8424 40th AVE N. NEW HOPE, MN 55427    APPLICATION NO.   FILING DATE   PERST NAMED INVENTOR   ATTORNEY DOCKET NO. CONFIRMATION NO.  |  |   |  |   | Ŋ  | Note: A certificate of mailing can only be used for domestic mailings of the                |   |   |  |
| BIOLOGICAL PATENT SERVICES, LLC 8424 40th AVE N.  NEW HOPE, MN 55427    Service   |  |   |  |   | р  | apers. Each additions   | al paper, such as an assignme   | for any other accompanying<br>ent or formal drawing, must   |  |
| R424 40th AVE N.  NEW HOPE, MN 55427    States Fortal Service with sufficient possage for fire class main an envelope transmitted to the USPTO (703) 746-4000, on the date indicated below.   |  |   | LLC  |   | л  |   |   |   |  |
| APPLICATION NO.   FILING DATE   FIRST NAMED INVENTOR   ATTORNEY DOCKET NO.   CONFIRMATION NO.   |  |   | , LLC  |   | I  | hereby certify that the   | rtificate of Mailing or Trans<br>is Fee(s) Transmittal is bein  | smission<br>g deposited with the United   |  |
| APPLICATION NO.   FILING DATE   FIRST NAMED INVENTOR   ATTORNEY DOCKET NO.   CONFIRMATION NO.   |  |   |  |   | Sa   | tates Postal Service v<br>ddressed to the Mai   | with sufficient postage for fir<br>I Stop ISSUE FEE address   | st class mail in an envelope<br>above, or being facsimile   |  |
| APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/799,202 03/12/2004 Neil Hart Diboll 200408 7583  TITLE OF INVENTION: ANDROPOGON PLANT NAMED 'BIG DADDY  APPLN TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(5) DUE DATE DUE nonprovisional YES 5550 \$300 \$850 07/20/2005  EXAMINER ART UNIT CLASS-SUBCLASS  GRUNBERG, ANNE MARIE 1661 PLT-384000 \$850 07/20/2005  EXAMINER ART UNIT CLASS-SUBCLASS  CTR 1.533  CARRIES FOR PTO/SR/122) attached.  1 Change of correspondence address or indication of "Fee Address" (37) (1) the names of a single firm (having as a member a registered patent attorneys or provision of the patent from page, list (1) the name of a single firm (having as a member a registered patent attorneys or agents. If no name is 1840, no name will be printed on the patent provision of the patent provision provision of the patent provision provision of the patent provision pro |  |   |  |   | Ľ  | ansmitted to the USP  | TO (703) 746-4000, on the o   | late indicated below.   |  |
| APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10799,202 03/12/2004 Neil Hart Dibol 200408 7583  TITLE OF INVENTION: ANDROPOGON PLANT NAMED 'BIG DADDY  APPLN. TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(S) DUE DATE DUE nonprovisional YES \$550 \$300 \$850 07/20/2005  EXAMINER ART UNIT CLASS-SUBCLASS GRUNBERG, ANNE MARIE 1661 PLT-384000  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.35).  CTANGE of correspondence address or indication of "Fee Address" (37 CFR 1.35).  CTANGE of correspondence address or change of Correspondence Address for DYCSB/12/21 subched.  PTOSB/12/21 subched.  TOTAL FEE(S) DUE DATE DUE  DATE DUE  ART UNIT CLASS-SUBCLASS  (1) the name of our page, list (1) the names of up to 3 registered patern stormeys or against 18 alternatively.  TOTAL FEE(S) DUE  DATE DUE  AND TOTAL FEE(S) DUE DATE DUE  DATE DUE  AND TOTAL FEE(S) DUE DATE DUE  DATE DUE  AND TOTAL FEE(S) DUE  DATE DUE  DATE DUE  DATE DUE  DATE DUE  DATE DUE  AND TOTAL FEE(S) DUE  DATE DUE  DA |  |   |  |   |  |   |   |   |  |
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| APPIN.TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(s) DUE DATE DUE  nonprovisional YES \$559 \$300 \$880 07/20/2005  EXAMINER ART UNIT CLASS-SUBCLASS  GRUNDERG, ANNE MARIE 1661 PLT-384000  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563)  CFR 1.563)  Change of correspondence address or indication for "Fee Address" indication for the Individual indication for indica | APPLICATION NO.  | FILING DATE   |  | FIRST NAME  | D INVENT                                       | OR  | ATTORNEY DOCKET NO.   | CONFIRMATION NO.  |  |
| APPLN. TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(s) DUE DATE DUE  nonprovisional YES \$550 \$300 \$850 07/20/2005  EXAMINER ART UNIT CLASS-SUBCLASS  GRUNBERG, ANNE MARIE 1661 PLT-384000  1. Change of correspondence address or indication of "Fee Address" (37 CPR 1.563).  2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents of the names of up to 3 registered patent attorneys or agents. If no name is 1 created attorney or agents of the names of up to 3 registered patent attorneys or agents. If no name is 3 created attorney or agents. If no name is 3 created attorney or agents. If no name is 3 created attorney or agents. If no name is 1 created attorney or agents. If no name is 3 created attorney or agents. If no name is 4 created attorney or agents. If no name is 4 created attorney or agent, or the assignee attached. If the prevent of the created attorney or agent, or the assignee of the particular data attached.  | 10/799,202   | 03/12/2004  |  | Neil Ha   | rt Diboll                                      |   | 200408  | 7583  |  |
| nonprovisional YES \$550 \$300 \$880 07/20/2005  EXAMINER ART UNIT CLASS-SUBCLASS  GRUNBERG, ANNE MARIE 1661 PLT-384000  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563).    Change of correspondence address (or Change of Correspondence Address form PTO/SB/42; battached.   Change of correspondence address (or Change of Correspondence Address from PTO/SB/42; Authorition of "Fee Address" indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.  3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.  (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)  Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government  4a. The following fee(s) are enclosed:    Date   Publication Fee (No small entity discount permitted)   Payment of Fee(s):   A check in the amount of the fee(s) is enclosed.   Payment by credit card. Form PTO-2038 is attached.   Deposit Account Number (enclose an extra copy of this form).  5. Change in Eatity Status (from status indicated above)   A Applicant claims SMALL ENTITY status. See 37 CFR 1.27.   b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).  The Director of the USFTO is requested to apply the Issue Fee and Publication Fee (if raquired) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown  | TITLE OF INVENTION: A  | NDROPOGON PLANT NA  | MED 'BIG DADD  | Ϋ́  |  |   |   |   |  |
| nonprovisional YES  \$550  \$300  \$880  07/20/2005    EXAMINER   |  |   |  |   |  |   |   |   |  |
| EXAMINER ART UNIT CLASS-SUBCLASS  GRUNBERG, ANNE MARIE 1661 PLT-384000  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.543).    Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) statched.   "Fee Address" indication (or "Fee Address" Indication form PTO/SB/122) statched. (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 3 registered patent attorneys or agents (1) the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent) and the names of up to 3 registered patent attorneys or agent. In on anne is 3 and 1 registered patent attorney or agent. In on anne is 3 and 1 registered patent attorney or agent. In on anne is 3 and 1 registered patent attorney or agent. In on anne is 3 and 1 registered patent attorney or agent. In on anne is 3 and 1 registered patent attorney or agent. In on anne is 3 and 1 registered patent attorney or agent. In on anne is 3 and 1 registered patent attorney or agent. In on anne is 4 registered patent attorney or agent. In on anne is 4 registered    | APPLN. TYPE  | SMALL ENTITY  | ISSUE F  | EE  | PUB  | LICATION FEE  | TOTAL FEE(S) DUE  | DATE DUE  |  |
| GRUNBERG, ANNE MARIE  1661  PLT-384000  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563).  Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of Correspondence address (or Change of Correspondence address from PTO/SB/122) attached.  Change in Entity Status (from status indicated above)  Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  Change in Entity Status (from status indicated above)  Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  Change in Entity Status (from status indicated above)  Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  Change in Entity Status (from status indicated above)  Change of Correspondence at a care and Publication free (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent, o    | nonprovisional   | YES   | \$550  |   |  | \$300   | \$850   | 07/20/2005  |  |
| 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563).    Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.   Tee Address Indication for "Fee Address" indication form PTO/SB/122) attached. Use of a Customer Number is required.   Tee Address Indication for "Fee Address" indication form PTO/SB/122) attached. Use of a Customer Number is required.   ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)   PLEASE NOTE: Unless an assignce is identified below, no assignce data will appear on the patent. If an assignce is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.   A) NAME OF ASSIGNEE   (B) RESIDENCE: (CITY and STATE OR COUNTRY)    Please check the appropriate assignce category or categories (will not be printed on the patent):   Individual   Corporation or other private group entity   Government   | EXAM   | MINER   | ART UN   | IT  | CLA  | SS-SUBCLASS   |   |   |  |
| CRA 1.563).  Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence or agents of the Address form PTO/SB/122) attached.  Change of Correspondence address (or Change of Correspondence or agents of the names of up to a registered patent attorney or agents. If no name is 1 created patent attorney or agents attorney or agents. If no name is 1 created patent attorney or agents attorney     | GRUNBERG,  | GRUNBERG, ANNE MARIE 166  |  |   | F  | LT-384000   | •   |   |  |
| Change of correspondence address (or Change of Correspondence Address form PTO/SB/12) attached.  The Address' indication (or "Fee Address" Indication form PTO/SB/17; Rev 03-02 or more recent) attached. Use of a Customer Number is required.  3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.  (A) NAME OF ASSIGNEE  (B) RESIDENCE: (CITY and STATE OR COUNTRY)  Please check the appropriate assignee category or categories (will not be printed on the patent):    Susue Fee   |  | e address or indication of "F   | ee Address" (37  | 2. For prin   | nting on th                                    | e patent front page, li   | st  |   |  |
| Tee Address' indication (or "Fee Address' Indication form PTO/SB147; Rev 03-02 or more recent) attached. Use of a Customer Number is required.  3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.  (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)  Please check the appropriate assignee category or categories (will not be printed on the patent):   Individual   Corporation or other private group entity   Government 4a. The following fee(s) are enclosed:   4b. Payment of Fee(s):   A check in the amount of the fee(s) is enclosed.   Publication Fee (No small entity discount permitted)   Payment by credit card. Form PTO-2038 is attached.   Payment by credit card.       | _ ′  | dence address (or Change of   | Correspondence   | (1) the na<br>or agents   | mes of up<br>OR, alterna                       | to 3 registered paternatively,  | t attorneys   |   |  |
| PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.  3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.  (A) NAME OF ASSIGNEE  (B) RESIDENCE: (CITY and STATE OR COUNTRY)  Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government as. The following fee(s) are enclosed: Ab. Payment of Fee(s): A check in the amount of the fee(s) is enclosed.  Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached.  Advance Order - # of Copies Payment by credit card. Form PTO-2038 is attached.  The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).  5. Change in Entity Status (from status indicated above)  a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).  The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.  NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.  Authorized Signature Date  Registration No   | _  |   |  | (2) the na  | me of a sin                                    | igle firm (having as a  | member a 2  |   |  |
| PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.  (A) NAME OF ASSIGNEE  (B) RESIDENCE: (CITY and STATE OR COUNTRY)  Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government  4a. The following fee(s) are enclosed:  4b. Payment of Fee(s):  A check in the amount of the fee(s) is enclosed.  Publication Fee (No small entity discount permitted)  Advance Order - # of Copies  Deposit Account Number  The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number  S. Change in Entity Status (from status indicated above)  A Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  De Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).  The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.  Authorized Signature  Date  Typed or printed name  Registration No.  Registration No.  | PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer   |   |  | 2 registered patent attorneys or agents. If no name is 2  |  |   |   |   |  |
| Please check the appropriate assignee category or categories (will not be printed on the patent):   Individual   Corporation or other private group entity   Government   4a. The following fee(s) are enclosed:   4b. Payment of Fee(s):   A check in the amount of the fee(s) is enclosed.   Payment by credit card. Form PTO-2038 is attached.   Payment by credit card. Form PTO-2038 is attached.   The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number   4ccount Number   4cc    | 3. ASSIGNEE NAME AND   | RESIDENCE DATA TO B   | E PRINTED ON T   | HE PATEN  | T (print or                                    | type)   |   |   |  |
| Please check the appropriate assignee category or categories (will not be printed on the patent):   | PLEASE NOTE: Unless<br>recordation as set forth in   | s an assignee is identified be<br>in 37 CFR 3.11. Completion  | elow, no assignee<br>of this form is NO                                | data will app<br>T a substitute   | ear on the                                     | patent. If an assign<br>in assignment.  | ee is identified below, the d   | ocument has been filed for  |  |
| 4a. The following fee(s) are enclosed:    Ab. Payment of Fee(s):   Issue Fee  | (A) NAME OF ASSIGN   | IEE   | <b>(</b> B   | ) RESIDENC  | CE: (CITY                                      | and STATE OR COL  | UNTRY)  |   |  |
| 4a. The following fee(s) are enclosed:    Ab. Payment of Fee(s):   Issue Fee  |  |   |  |   |  |   |   |   |  |
| 4a. The following fee(s) are enclosed:    Ab. Payment of Fee(s):   Issue Fee  | Please check the appropriate   | e assignee category or catego   | ries (will not be pr   | inted on the n  | natent):                                       | ☐ Individual ☐ Co   | omoration or other private em   | oun entity Government   |  |
| □ Issue Fee □ A check in the amount of the fee(s) is enclosed. □ Publication Fee (No small entity discount permitted) □ Payment by credit card. Form PTO-2038 is attached. □ Advance Order - # of Copies □ □ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number □ (enclose an extra copy of this form).  5. Change in Entity Status (from status indicated above) □ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. □ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).  The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.  Authorized Signature □ Date □ Registration No. □ Registrat     |  |   |  |   |  |   | or portation or other private great   | Jup chary — Government  |  |
| Advance Order - # of Copies   |  |   |  |   |  |   |   |   |  |
| Deposit Account Number  | Publication Fee (No  | small entity discount permitte  | ed)  | Payment by credit card. Form PTO-2038 is attached.  |  |   |   |   |  |
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| Authorized Signature Date Registration No   |  |   |  |   |  |   |   |   |  |
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FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. APPLICATION NO. CONFIRMATION NO. 10/799,202 03/12/2004 Neil Hart Diboll 200408 7583 **EXAMINER** 36947 04/20/2005 BIOLOGICAL PATENT SERVICES, LLC GRUNBERG, ANNE MARIE 8424 40th AVE N. ART UNIT PAPER NUMBER NEW HOPE, MN 55427 1661

DATE MAILED: 04/20/2005

### Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.